



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/380,412	01/19/2000	PATRIK LJUNGSTROEM	RIEB3.001APC	2586

20995 7590 03/27/2003

KNOBBE MARTENS OLSON & BEAR LLP
2040 MAIN STREET
FOURTEENTH FLOOR
IRVINE, CA 92614

EXAMINER

MEHRPOUR, NAGHMEH

ART UNIT	PAPER NUMBER
----------	--------------

2685

DATE MAILED: 03/27/2003

14

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/380,412

Applicant(s)
Patrik Ljungstrom et al.

Examiner
Naghmeh Mehrpour

Art Unit
2685



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Jan 8, 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 12-22 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 12-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

Art Unit: 2685

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 12-22**, are rejected under 35 U.S.C. 103(a) as being unpatentable over Raffel et al. (US Patent Number 5,675,629).

Regarding **Claims 12-13, 20**, Raffel teaches a cordless communication system for the operation of a mobile terminal of a mobile communication system with a base station that is connected to a public fixed network and that is compatible at an air interface with the mobile communication system that has at least one authentication function cordless communication system (col 2 lines 25-35) comprising:

at least one identification module, wherein sections of data of the identification module used in the base station are identical to sections of data on a chip card of an access-authorized mobile terminal (col 10 lines 50-65); and software implemented in the base station for processing of data read from the identification module and for authenticating the mobile terminal relative to the base station through the processed data, wherein the base station fulfills the same functions and tasks **with respect to access control and authentication** as the home location register (See figure 2, numeral 10, 12, 16 col 7 lines 25-37) and, respectively, the authentication center of the mobile communication system. Raffel teaches a cordless system that works with cellular system,

Art Unit: 2685

and the cellular system usually contains the HLR/VLR/AUC (Column 34 lines 61-66). Raffel fails to teach a read/write unit within a base station which configured to read and write information from and to. However, the Examiner takes official notice that use of readable and writeable memory is well known in the art. By using readable/writable memory instead of readable memory within the base station, providing more variety to the user, for example enabling the user to use multiple handsets with one base. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine above teaching with Raffel cordless Base Station, in order to provide more flexibility for the wireless communication system.

Regarding **Claim 14**, Raffel teaches a method further comprising storing other data on the identification module and the other data including allowed frequencies, a maximum permitted output powers for the base station and the mobile terminal, allowed services, and initialization parameters which a network carrier desires to influence and which constitute a general framework for the operation of the base station of the cordless communication system (Column 4 lines 65-67, column 5 lines 1-19, column 23 lines 42-67, column 24 lines 1-21).

Regarding **Claims 15-16**, Raffel teaches a method comprising operating the base station of the cordless communication system so that the air interface operates in a frequency spectrum of a public mobile communication system (col 14 lines 9-11, lines 37-56).

Regarding **Claims 17-19**, Raffel teaches a method of communication that comprising a timer within the base station to a predetermined time by a network carrier, and automatically resetting

Art Unit: 2685

the timer by a subscriber if an authorized use occurs, wherein the base station, if not used after the predetermined time has lapsed, loses authorization to operate a transmitter at frequencies assigned to the mobile communication system (Column 7 lines 43-65).

Regarding **Claim 22**, Raffel fails to teach a cordless communication system wherein the predetermined standard is selected from the group consisting of ISO ID-1, ID-000, DCS 1800, and PCS 1900. However a cordless communication system wherein the predetermined standard is selected from the group consisting of ISO ID-1, ID-000, DCS 1800, and PCS 1900 is well known in the art. Therefore, it have been obvious to one of ordinary skill in the art at the time of the invention to use above teaching to Raffel, in order to provide a system that can be operational with variety of different networks.

Response to Arguments

3. Applicant's arguments with respect to claims 12-13,20, have been considered but are moot in view of the new ground(s) of rejection.

In response to applicant's argument that the Raffel fails to show certain features of applicant's invention, it is noted that the features upon which applicant relies (for example, *cordless system which the mobile directly authenticates with the cordless base station rather than the mobile network*) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

In response to the applicant's argument that "*Raffel does not disclose that*

Art Unit: 2685

software implemented in the base station for processing data read from the identification module and for authentication the mobile terminal relative to base station through the processed data”

The Examiner states that Raffel teaches cordless base station processor 20 controls the operation of radio portion (hardware) of the cordless cellular and call processing (software) tasks and the administrative tasks related to communicating with the cellular network 16 (see figure 3,). The cordless base station able to inform the cellular network where to rout telephone call for the mobile station's identification when the mobile station is registered with the cordless base station ensuring the mobile user will always receive telephone calls for the mobile identification number regardless of the mode of operation of the mobile station (col 4 lines 59-65). Therefore cordless base station implemented software in the base station and functions as applicant's claim limitations.

Conclusion

4. Any responses to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 308--6296, (for formal communications indented for entry)

Or:

(703) 308-6306, (for informal or draft communications, please label

“PROPOSED” or “DRAFT”)


Art Unit: 2685

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, Va., sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Melody Mehrpour whose telephone number is (703) 308-7159. The examiner can normally be reached on Monday through Thursday (first week of bi-week) and Monday through Friday (second week of bi-week) from 6:30 a.m. to 5:00 p.m.

NM

March 23, 2003


3/24/03
LESTER
PRIMARY EXAMINER